

**Posted – February 10, 2010**

**REGULAR MEETING FEBRUARY 16, 2010**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Tuesday, February 16, 2010 at 7:00 P.M. (EXECUTIVE SESSION AT 6:00 PM) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

**EXECUTIVE SESSION**

**Pursuant to provisions of RIGL, Sections 42-46-2.,42-46-4., and 42-46-5. (a) (5) lease (Joel Peckham School) and (1) personnel (Deputy Police Chief).**

## **CONSENT CALENDAR**

- 1. Approval of Minutes – Special Meeting, February 1, 2010.**
- 2. Approval of Minutes – Regular Meeting, February 1, 2010.**
- 3. Communication of Town Clerk, Town of South Kingstown, re: Receipt of resolution from the Town concerning Liquefied natural gas facility in Mount Hope Bay.**
- 4. Communication of City Clerk, City of Woonsocket, with enclosures, re: Requesting support of Resolution requiring Minimum Beneficiary Contribution to Cost Sharing as It Relates to Public Employee Healthcare Benefits.**
- 5. Communication of Town Clerk, Town of Burrillville, with enclosure, re: Proposed Weaver's Cove Offshore Berth Project – Vote to support Middletown resolution opposing liquefied natural gas (LNG) offshore berth in Mount Hope Bay.**
- 6. Communication of Steven P. Rodrigues, President, Middletown Fire Fighters Association, re: Notice of desire to start collective bargaining for fiscal year 2010-2011.**
- 7. Memorandum of Town Administrator, re: Middletown H1N1 Clinics.**

**8. Memorandum of Town Administrator, re: Motor Vehicle Excise Tax Lawsuit.**

**9. Memorandum of Town Administrator, re: Winter Polo Special Event.**

**10. Communication of Town Administrator, with enclosures, re: Tax Collector's Report for period ending January 31, 2010.**

**11. Resolution of the Council, re: Proclaiming February 1st as Domestic Violence Victims Day in the Town.**

**12. Notice of Public Hearing received from the Zoning Board of Review, Petition of Enterprise Center Properties, Inc., C/O Ms. Deanna Roy, 25 Enterprise Center, owner, Embrace Home Loans, Inc., applicant by their attorney Robert M. Silva, Esquire for a Special Use Permit under Section 1211E-Table 12-5 to allow the placement of one 32 sq. ft. wall-mounted internally illuminated channel letter sign on the front (south) side of an existing office building. Said real estate located at 25 Enterprise Center, TAP 113, Lot 15B.**

**TOWN COUNCIL**

- 1. Memorandum of Town Solicitor, with enclosure, re: Vote on wind turbine ordinance, February 1, 2010.**
- 2. Memorandum of Councillor Sylvia, re: Request for reconsidering of wind turbine motion – February 1, 2010.**
- 3. Memorandum of Town Planner, with enclosures, re: FY2010 Small Cities Community Development Block Grant Application (CDBG) – Project priorities.**
- 4. Public Hearing (Advertised)**  
**Town of Middletown application for Small Cities Community Development Block Grant (CDBG) for certain projects, in an amount not to exceed \$400,000.**
- 5. Memorandum of Town Planner, with enclosure, re: Required revisions to the Town's Flood Hazard Areas regulations, Zoning Ordinance, Article 10. (Requires Advertising for Public Hearing).**
- 6. Petition of CVD II, LLC, et al by their Attorney, Joseph R. Palumbo, Jr., with enclosures, re: to amend Comprehensive Community Plan as outlined in enclosure and to amend the Zoning Ordinance, adopted effective October 30, 2006, by changing the classification of Lots 8, 9, 9A & 10, Tax Assessor's Plat 111 from Light Industrial (LI) to General Business A (GBA). (Proposed amendments to Comprehensive Plan requires Planning Board Public Hearing and Approval; Proposed**

**amendment to the Zoning Ordinance requires Planning Board Recommendation)**

**7. Memorandum of Town Administrator, with enclosures, re: Request by Dudley Avenue Residents.**

**8. Memorandum of Town Administrator, re: Social Host Ordinance.**

**9. An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in amendment to the Town Code of the Town of Middletown, Title XIII, General Offenses, Chapter 130, Section 130.01 Possession, Consumption By Minors Prohibited, Section 130.01(A) Unlawful Possession or Consumption of Alcoholic Beverages By Underage Persons and Section 130.01(B) Social Host Offenses.**

**10. Memorandum of Town Administrator, with enclosures, re: Roadway Investment Local Equity Aid Program (RI-LEAP) Agreements.**

**11. Resolution of the Council, re: Authorizing the Town Administrator to execute documents of behalf of the Town concerning Roadway Investment Local Equity Aid Program (RI-LEAP).**

**12. Memorandum of Town Administrator, with enclosures, re: Surplus Police Vehicles.**

**13. Resolution of the Council, re: Surplus Police Vehicles.**

**14. Memorandum of Councillor VonVillas, re: Municipal & School Regionalization.**

**15. Communication of Jessica Barrow, (Resident - Wedgewood Drive, Middletown) Boston, MA, re: Request for support for the Habit for Humanity Collegiate Challenge.**

**16. Communication of The St. Patrick's Day Parade Committee, re: Request for support by placing an ad in the Parade Bulletin or donating to the parade committee.**

**17. Memorandum of Arthur S. Weber, Jr., Chairman, Middletown Planning Board, re: Recognition of Service – Frank Forgue.**

## **PUBLIC FORUM SESSION**

**Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

**Wendy J. W. Marshall, CMC**  
**Clerk**

**Town**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.**